

United States Bankruptcy Court for the:

Western District of Texas, San Antonio Division

Case number (if known): _____ Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name TX Superior Communications, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 4 7 - 4 2 6 2 9 0 9

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

6223 Krempen Ave

Number Street

Number Street

Po Box 1438

P.O. Box

San Antonio, TX 78233-4585

City State ZIP Code

Converse, TX 78109-4186

City State ZIP Code

Bexar

County

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

2 3 7 1

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____

List all cases. If more than 1, attach a separate list.

Case number, if known _____

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property?

Number _____ Street _____

City _____

State _____

ZIP Code _____

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds?***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- ☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 25,001-50,000
- ☐ 100-199 ☐ 200-999 ☐ 5,001-10,000 ☐ 50,000-100,000
- ☐ 10,001-25,000 ☐ More than 100,000

15. Estimated assets

- ☐ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☒ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

- 16. Estimated liabilities**
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

- 17. Declaration and signature of authorized representative of debtor**
- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
 - ☐ I have been authorized to file this petition on behalf of the debtor.
 - ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/17/2018
MM/ DD/ YYYY

X /s/ Eduardo Espinoza, Jr. Eduardo Espinoza, Jr.
Signature of authorized representative of debtor Printed name

Title Manager

- 18. Signature of attorney**
- X** /s/ Ronald Smeberg Date 12/17/2018
Signature of attorney for debtor MM/ DD/ YYYY

Ronald Smeberg
Printed name

The Smeberg Law Firm
Firm name

2010 W Kings Hwy
Number Street

San Antonio TX 78201
City State ZIP Code

ron@smeberg.com
Contact phone Email address

24033967 TX
Bar number State

Fill in this information to identify the case:

Debtor name TX Superior Communications, LLC

United States Bankruptcy Court for the:

Western District of Texas, San Antonio Division

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 202****Declaration Under Penalty of Perjury for Non-Individual Debtors****12/15**

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206A-Summary)
- ☐ *Amended Schedule* _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12/17/2018
MM/ DD/ YYYY

X/s/ Eduardo Espinoza, Jr.

Signature of individual signing on behalf of debtor

Eduardo Espinoza, Jr.

Printed name

Manager

Position or relationship to debtor

Debtor name TX Superior Communications, LLC

United States Bankruptcy Court for the:

Western District of Texas, San Antonio Division

Case number (if known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Accel Capital Inc. c/o Joseph Nierman, Esq. 30 Wall St # 801 New York, NY 10005-2201	Accel Capital Inc.	Judgment	Disputed			\$172,638.58
2	AT&T Po Box 5017 Carol Stream, IL 60197-5017	AT&T	Utility				\$305.00
3	Bluevine Capital, Inc. 401 Warren St Redwood City, CA 94063-1578	Bluevine Capital, Inc. (888) 216-9619					\$20,119.00
4	CDS Business Services, Inc., dba Newtek Business Credit 1981 Marcus Ave New Hyde Park, NY 11042-1046	CDS Business Services, Inc., dba Newtek Business Credit					\$149,000.00
5	Circle K Po Box 639 Portland, ME 04104-0639	Circle K (866) 544-1715	Line of credit				\$11,794.99
6	CPS Energy Attn: Bankruptcy Section 145 Navarro St Stop 110910 San Antonio, TX 78205-2934	CPS Energy	Utility				\$209.00
7	CR/Fed Leasing, LLC 103 Biltmore St San Antonio, TX 78213-2203	CR/Fed Leasing, LLC					\$90,003.70
8	Four J Traffic Controls, LLC Po Box 240038 San Antonio, TX 78224-0038	Four J Traffic Controls, LLC (210) 927-4770	Line of credit				\$8,319.32

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	GOTO Premium Finance Po Box 4312 Woodland Hls, CA 91365-4312	GOTO Premium Finance	Insurance				\$208.17
10	Kabbage 730 Peachtree St Ne Atlanta, GA 30308-1226	Kabbage (888) 986-8263					\$19,477.32
11	Liberty Mutual Insurance Po Box 188025 Fairfield, OH 45018-8025	Liberty Mutual Insurance (800) 682-8476	Insurance				\$66,480.72
12	Newtek Small Business Finance 1981 Marcus Ave New Hyde Park, NY 11042-1046	Newtek Small Business Finance (602) 255-1467					\$365,000.00
13	Platinum Rapid Funding 348 RXR Plaza Uniondale, NY 11566	Platinum Rapid Funding					\$180,000.00
14	Premier Capital Funding c/o Law Office of Marvin Ben-Aron 14 Avenue T Brooklyn, NY 11223-3421	Premier Capital Funding	Judgment	Disputed			\$117,415.10
15	Reginal Finance Corporation of Texas 14145 Nacogdoches Rd San Antonio, TX 78247-1931	Reginal Finance Corporation of Texas					\$13,483.59
16	Rental One Po Box 489 Colleyville, TX 76034-0489	Rental One (817) 545-8999	Line of credit				\$1,765.83
17	Shell Po Box 9001015 Louisville, KY 40290-1015	Shell	Line of credit				\$6,254.18
18	Spectrum Legal Department 13820 Sunrise Valley Dr Herndon, VA 20171-4659	Spectrum	Utility				\$228.00
19	Tiger Sanitation 6315 Us Highway 87 E San Antonio, TX 78222-1810	Tiger Sanitation	Utility				\$161.00
20	Yellowstone Capital, LLC c/o Vadim Serebro, Esq. 55 Broadway Fl 3 New York, NY 10006-3757	Yellowstone Capital, LLC (646) 774-3374	Judgment	Disputed			\$78,655.00

Accel Capital Inc.
c/o Joseph Nierman, Esq.
30 Wall St # 801
New York, NY 10005-2201

AT&T
Po Box 5017
Carol Stream, IL 60197-5017

Bexar County Tax Assessor
Collector c/o
Don Stecker, Linebarger, Googan, Blair &
Sampson
711 Navaro St. 300
San Antonio, TX 78205

Bluevine Capital, Inc.
401 Warren St Ste 300
Redwood City, CA 94063-1578

CDS Business Servies, Inc.,
dba Newtek Business Credit
1981 Marcus Ave Ste 130
New Hyde Park, NY 11042-1046

Circle K
Po Box 639
Portland, ME 04104-0639

Corporate Service Company
as Representative
P.O. Box 2576
Patterson, IL 62708

CPS Energy
Attn: Bankruptcy Section
145 Navarro St Stop 110910
San Antonio, TX 78205-2934

CR/Fed Leasing, LLC
103 Biltmore St Ste 210
San Antonio, TX 78213-2203

Eduardo Espinoza, Jr
P.O. Box 1438
Converse, TX 78109

Eduardo Espinoza, Sr
P.O. Box 1438
Converse, TX 78109

First Corporate Solutions as
Representative
914 S. Street
Sacramento, CA 95811

Four J Traffic Controls, LLC
Po Box 240038
San Antonio, TX 78224-0038

Geico
One Gieco Blvd
Fredericksbrg, VA 22412-0001

GOTO Premium Finance
Po Box 4312
Woodland Hls, CA 91365-4312

Internal Revenue Service
Po Box 7346
Philadelphia, PA 19101-7346

Kabbage
730 Peachtree St Ne Ste 350
Atlanta, GA 30308-1226

Liberty Mutual Insurance
Po Box 188025
Fairfield, OH 45018-8025

Newtek Small Business
Finance
1981 Marcus Ave Ste 130
New Hyde Park, NY 11042-1046

Platinum Rapid Funding
348 RXR Plaza
Uniondale, NY 11566

Premier Capital Funding
c/o Law Office of Marvin Ben-Aron
14 Avenue T
Brooklyn, NY 11223-3421

Reginal Finance Corporation
of Texas
14145 Nacogdoches Rd Ste 1
San Antonio, TX 78247-1931

Rental One
Po Box 489
Colleyville, TX 76034-0489

San Antonio Water Systems
Attn: Bankruptcy Dept
Po Box 2449
San Antonio, TX 78298-2449

Shell
Po Box 9001015
Louisville, KY 40290-1015

Spectrum
Legal Department
13820 Sunrise Valley Dr
Herndon, VA 20171-4659

Texas Comptroller of Public
Account
Attn: Bankruptcy
Po Box 149359
Austin, TX 78714-9359

The Smeberg Law Firm
2010 W Kings Hwy
San Antonio, TX 78201

Tiger Sanitation
6315 Us Highway 87 E
San Antonio, TX 78222-1810

Yellowstone Capital, LLC
c/o Vadim Serebro, Esq.
55 Broadway Fl 3
New York, NY 10006-3757

IN RE: **TX Superior Communications, LLC**

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 12/17/2018 Signature /s/ Eduardo Espinoza, Jr.
Eduardo Espinoza, Jr., Manager

TX SUPERIOR COMMUNICATIONS, LLC

Company Resolution

ARTICLE I.
Recitals

Whereas the Managers of TX SUPERIOR COMMUNICATIONS, LLC (the "Company"), acknowledge that the Company cannot continue operating in its financial condition without reorganizing under chapter 11 of the Bankruptcy Code;

Whereas the Members of the Company acknowledge that reorganizing the Company's debt in a chapter 11 bankruptcy may cause adverse financial consequences for the Members personally;

Whereas the Managers of the Company desire to authorize the Company's manager Eduardo Espinoza JR to execute all documents necessary to place the Company in Chapter 11 bankruptcy reorganization, to execute all documents necessary to prosecute the bankruptcy and ultimately to execute all documents necessary to obtain confirmation in the bankruptcy process;

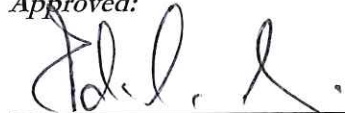
Therefore the Managers of the Company resolve as follows:

ARTICLE II.
Resolutions

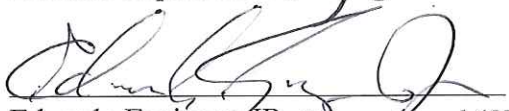
1. The Managers resolve that the Company shall enter into a Chapter 11 Bankruptcy and Eduardo Espinoza JR may execute all documents related to the Chapter 11 Bankruptcy on the Company's behalf within her business judgment.
2. The Managers resolve to authorize the Smeberg Law Firm, PLLC to take all actions in the Chapter 11 bankruptcy it deems reasonably necessary to protect the Company's interest in accordance with the retainer agreement executed for that purpose.

IN WITNESS WHEREOF, the Managers of TX SUPERIOR COMMUNICATIONS, LLC have resolved as stated above and have caused their signatures, to be set forth below on this the 17th day of December, 2018.

Approved:



Eduardo Espinoza SR, *Manager and 51% Member*



Eduardo Espinoza JR, *Manager and 49% Member*